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October 17, 2005

TO: Examiner A. Bello
GAU 2633
U.S. Serial No. 10/601,745

Company: U.S. Patent and Trademark Office

Fax #: 571-273-8300 **City/State:** Alexandria, VA 22313

Mail Stop RCE

FROM: Steven P. Wigmore **5551** **Our Ref. #:** 08286.105020

NUMBER OF PAGES (including transmittal sheet): 16 *SW*

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Notes/Comments:

Documents Submitted Via Facsimile:

Applicant: John J. Kenny

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OCT 18 2005

Serial No.: 10/601,745

Filed: June 23, 2003

For: *SW* System and Method for Increasing Upstream Communication Efficiency in an Optical Network

Papers Faxed: RCE in duplicate (2-pgs.); One Month Extension of Time in Duplicate (2-pgs.)
Amendment Transmittal in Duplicate (2-pgs.) and Amendment Under 37 CFR § 1.116 (9-pgs.)

Received 3/10/06
out of 16

Request for Continued Examination (RCE) Transmittal Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).	Application No.	10/601,745	RECEIVED CENTRAL FAX CENTER
	Filing Date	June 23, 2003	
	Named Inventor(s)	John J. Kenny	
Group/Art Unit	2633	OCT 17 2005	
Examiner Name	Agustin Bello		
Attorney Docket No.	08286.105020		

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (mar. 30, 2000), 1222 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114	
a.	<input type="checkbox"/> Previously submitted <ul style="list-style-type: none"> i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on _____. (Any unentered amendment(s) referred to above will be entered). ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____. iii. <input type="checkbox"/> Other _____.
b.	<input checked="" type="checkbox"/> Enclosed <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> Amendment and Response Submitted Under 37 C.F.R. 1.116. ii. <input checked="" type="checkbox"/> One-Month Petition for Extension of Time. iii. <input type="checkbox"/> Information Disclosure Statement (IDS) iv. <input type="checkbox"/> Other _____.
2. Miscellaneous	
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR § 1.17(i) required)
b.	<input type="checkbox"/> Other _____.
3. Fees (The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.)	
a.	<input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-0980. <ul style="list-style-type: none"> i. <input checked="" type="checkbox"/> RCE Fee required under 37 CFR § 1.17(e) [Fee: \$395.00] ii. <input checked="" type="checkbox"/> One-Month Extension of time fee \$60.00 (37 CFR §§ 1.136 and 1.17) iii. <input type="checkbox"/> Other _____.
b.	<input type="checkbox"/> Check in the amount of \$ _____ enclosed
c.	<input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)

Signature of Applicant, Attorney or Agent Required

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I hereby certify that this correspondence is being facsimile transmitted to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: GAU: 2633, Examiner A. Bello, Facsimile No. 571-273-8300 on October 17, 2005.

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